

Services and Benefits
Employee Assistance Program (EAP)

Summary of Changes. This regulation establishes policy and procedures for the Employee Assistance Program for California National Guard technician program. It replaces the Technician Personnel Manual, dated 1 June 2005.

Applicability. California National Guard Full-time Personnel Regulation (CNGFPR) applies to all California Army and California Air National Guard technicians and to commanders, managers and supervisors (military or civilian) with authority or responsibility over technician personnel management.

Proponent and Exception Authority. The proponent of this regulation is the Joint Force Headquarters, J-1, Directorate for Human Resources. The proponent has authority to approve exceptions to this regulation when they are consistent with controlling laws and regulations.

Supplementation. Supplementation of this regulation is prohibited.

Suggested Improvements. Users of this regulation are invited to send comments and suggested improvements to Office of the Adjutant General, Directorate for Human Resources, 9800 Goethe Road, Sacramento, CA 95826-9101.

Distribution. Distribution of the regulation is Army - A and Air Force - F.

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1. **Purpose.**
This technician personnel regulation establishes the California National Guard Employee Assistance Program. The Employee Assistance Program is concerned with, but not limited to, alcohol or drug abuse, marital difficulties, financial/legal troubles, parent/child conflicts, stress, anxiety, depression, anger, infirmity of an aging parent, single parent concerns, AIDS and retirement counseling.
2. **References.**
Public Law 99-570, The Federal Employee Substance Abuse Education and Treatment Act of 1986, title 5, Code of Federal Regulations (CFR) Part 792, Executive Order 12564.

3. Responsibilities.

- a. The Director for Human Resources is responsible for providing an Employee Assistance Program (EAP) based on guidance from National Guard Bureau and Office of Personnel Management (OPM).
- b. The Human Resource Management Specialist, Directorate for Human Resources, is responsible for the implementation and administration of an EAP.
- c. The Human Resources Specialist, Directorate for Human Resources, is responsible for:
 - (1) Arranging and conducting supervisor and manager EAP training programs.
 - (2) Assisting managers, supervisors, and employees with referrals to the EAP.
 - (3) Developing and disseminating information on EAP resources available to employees and their family members.
- d. Commanders, directors, managers, and supervisors are responsible for:
 - (1) Observing changes in work and employee behavior.
 - (2) Documenting specific instances when an employee's work performance, behavior and/or attendance fail to meet minimum standards or appear to be deteriorating.
 - (3) Implementing management initiated referral to the EAP when management recognizes serious work performance problems related to alcohol/drug use, severe emotional issues or safety issues.
 - (4) Informing new employees about the EAP and services available.

4. Background.

- a. Federal statutes task the Directorate for Human Resources with responsibility for developing and maintaining, in cooperation with other federal agencies and departments, appropriate prevention, treatment and rehabilitation programs and services for alcoholism, alcohol and drug abuse among federal employees. **Policies and services are to make optimal use of existing governmental facilities**, services and skills. National Guard Bureau regulations require each state to develop programs.
- b. The head of each agency of the Government of the United States may establish, within the limits of appropriations available, a health services program to promote and maintain the physical and mental fitness of employees under his/her jurisdiction.

5. Definitions.

- a. *Alcohol Abuse* - a treatable health problem in which the employee's work performance is impaired as a direct result of use of alcohol. Alcoholism is a handicapping condition under Section 501 of the Rehabilitation Act of 1973 (29 U.S.C. Section 791), as determined by the Attorney General of the United States (43 op. Atty. Gen. No. 12).
- b. *Community Resources* - agencies and individual practitioners, accessible to an Employee Counseling Service Program (ECSP) client population, including but not limited to: hospitals and other inpatient treatment facilities, clinics and outpatient treatment facilities, family counseling services, financial counseling services, self-help group for medical behavioral and emotional problems, such as, AA, AL-ATEEN, AL-ANON, etc.
- c. *Counseling* - professional services as provided by psychiatrist, psychologist, social workers, or psychiatric nurses; professionals trained to help people explore their feelings, understand themselves better, and decide on appropriate action alternatives.
- d. *Employee Counseling Service* - professional counseling as provided by the Employee Counseling Service staff. Counseling which includes assessment, outside referral, and monitoring, is short-term, crisis-oriented, supportive and/or informative in nature.
- e. *Drugs* - includes illegal, legal and over-the-counter drugs other than alcohol, caffeine or tobacco. Illegal drugs refer to those disapproved for use or possession by law or statute. Legal drugs include substances available via prescription or generally over-the-counter. Concern here is for those drugs whose use or misuse may cause serious health, personal, or family problems negatively affecting an individual's job performance.
- f. *Drug Abuse* - a treatable health problem in which the employee's work performance is impaired as a direct result of use of those drugs that are mind-altering or psychotropic in effect. Drug abuse is a handicapping condition under Section 501 of the Rehabilitation Act of 1973 (29 U.S.C. Section 791), as determined by the Attorney General of the United States (43 op. Atty. Gen. No. 12).

g. *Emotional/Behavioral Problems* - personal difficulties which impair job performance. Under this category would also come the suffering of an employee due to the alcohol or drug abuse or emotional problems of another person, such as a spouse, a supervisor, or a co-worker.

h. *Employee Assistance Program* - a system to provide professional help for employees whose job performance is adversely affected due to drug-related problems, alcohol-related problems, family problems, emotional problems, or other personal/medical problems. It can be utilized through self-referral, union/co-worker referral, or supervisory intervention.

i. *Monitoring of Employee Progress* - this is an activity performed by Employee Assistance Program counselor which involves keeping track of the employee's progress in the program on an on-going basis through contacts with the employee, the employee's supervisor (with the written consent of the employee), the community resources with which the employee is involved, etc. Such contacts should be made on a periodic basis for extended periods of time. Contact with community resources may be made only with the employee's written authorization.

j. *Other Victim* - This is an individual who does not have an identified problem, but who has a significant other (spouse, child, etc.) in his/her life that has a personal problem that is having a negative impact on the job performance of the individual. For example, an employee who has a family member that is an alcohol or drug abuser is considered to be an "other victim."

6. Policy.

a. The California National Guard recognizes that a technician's private life is their own affair. All of us have problems, and most of the time we can cope. Sometimes, however, these problems overwhelm us and affect everything we do. We may need someone who can help us. Personal problems can seriously impair your ability to work effectively. When that is the case, the Employee Assistance Program is designed to help you regain control and be an effective technician again. When the Employee Assistance Program helps a technician solve his/her problems, both the technician and the organization benefit. For that reason, the California National Guard has instituted the Employee Assistance Program.

b. The Employee Assistance Program is confidential. The technician's right to privacy is fully protected by law. Everything discussed in counseling sessions is completely confidential. No information is entered in a technician's personnel record. No information about the personal problem is shared with the organization without written authorization from the technician with the problem. The California National Guard has no access to any clinical records. The California National Guard does not participate in any way in the management nor the clinical operation of the Employee Assistance Program.

7. Program Responsibility.

a. The Employee Assistance Program is provided for California National Guard technicians by ComPsych. The service is available 24 hours a day, seven days a week. The toll-free number is 1-888-290-4EAP (1-888-290-4327). Their website is: www.guidanceresources.com. First-time users will need to register. The company ID for the California National Guard is "FEDSOURCE".

b. The Employee Assistance Program is a voluntary program. A technician may contact the Employee Assistance Program confidentially. If the supervisor feels a technician is having personal or drug and alcohol problems that are interfering with their work performance, they may initiate a management referral to the Employee Assistance Program. An authorization form to release information regarding services should be signed and dated by the technician and specifically indicate what information may be released to the supervisor (such as, initial appointment kept, treatment recommendations, compliance with the recommended treatment, completion of the recommended treatment). Without the signed authorization, no information will be released to the supervisor regarding the technician's participation in the program. It is still the technician's choice to participate in the Employee Assistance Program. If the technician refuses to participate in counseling and his/her job performance continues to be impaired, the supervisor will continue to document work performance and disciplinary action may be considered.

c. The Employee Assistance Program provides professional consultation to help a technician identify and evaluate their real problem, discuss possible solutions, and refer the technician to a community agency that can best help the technician to solve the situation.

d. The Employee Assistance Program is free for all California National Guard technicians and their family members. The California National Guard pays the full cost for three counseling sessions for each problem. If a technician needs additional counseling for a specific problem, they will be referred to their Health Maintenance Organization.

e. Technicians should not wait until problems take over their lives. We turn to professionals, such as, doctors, dentists, and lawyers, when we need them. The California National Guard cares enough about its technicians to provide this benefit.

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